

REMARKS

This Amendment is responsive to the Office Action dated August 10, 2004. Claims 1-25 were pending in the application. In the Office Action, claims 1-25 were rejected. In this Amendment, claims 1, 6-8, 16 and 17 have been amended. Claims 1-25 thus remain for consideration.

Applicant submits that claims 1-25 are in condition for allowance and requests reconsideration and withdrawal of the rejections in light of the following remarks.

§102 and §103 Rejections

Claims 1, 2, 5-7, 16, 17 and 20 were rejected under 35 U.S.C. §102(e) as being anticipated by Itakura et al. (U.S. Pat. No. 6,351,745).

Claims 3, 4, 8, 10, 12 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Itakura as applied to claims 1, 2 and 5-7, and further in view of Baji et al. (U.S. Pat. No. 5,027,400).

Claims 9, 11, 13 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Itakura and Baji, and further in view of Kitsukawa et al. (U.S. Patent No. 6,282,713).

Claims 18, 19 and 21-25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Itakura.

Applicant submits that the independent claims (claims 1, 6-8, 16 and 17) are patentable over Itakura, Baji and Kitsukawa.

Applicant's invention as recited in the independent claims is directed toward an information processing apparatus, an information processing method, and a recording medium storing a program for controlling an information processing apparatus. Each of the claims recites

that contents data is delivered via a network. Each of the claims further recites that “contents data is delivered together with extracted general additional information and extracted individual additional information in response to a request for usage generated by [an apparatus], said extracted general additional information and extracted individual additional information being generated by selecting from a database of additional information according to said request.” Supporting disclosure for the additional information scheme of Applicant’s invention can be found in the specification at, for example, page 28, lines 1-9.

Neither Itakura, Baji nor Kitsukawa discloses Applicant’s additional information scheme. Accordingly, Applicant submits that claims 1, 6-8, 16, 17 and 20 are patentable over Itakura, Baji and Kituskwa - taken either alone or in combination - on at least this basis.

Further, since dependent claims inherit the limitations of their respective base claims, the dependent claims (claims 2-5, 9-15, 18, 19 and 21-25) are believed to be patentable over the cited references for at least the same reasons as their respective base claims.

Applicant submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicant's undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
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